

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 20, 2009**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SUP-33730 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: L'CHAIM 24 FREMONT PROPERTY, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT at 24 Fremont Street (APN 139-34-111-028), C-2 (General Commercial) Zone, Ward 5 (Barlow). NOTE: To be heard in conjunction with Morning Session Item 67. The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****1****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter
6. Support Postcard
7. Submitted after Meeting – Recordation Notice of Council Action and Conditions of Approval
8. Backup Referenced from the 04-23-2009 Planning Commission Meeting Item 10

Motion made by RICKI Y. BARLOW to Approve subject to conditions and adding the following condition as read for the record:

A. There shall be a review at a public hearing of the City Council six (6) months after issuance of a business license.

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

RICKI Y. BARLOW, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-LOIS TARKANIAN, STEVEN D. ROSS, DAVID W. STEINMAN)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

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HAIM GABAY explained that the temporary liquor license is for the business located at 24 Fremont Street.

COUNCILMAN BARLOW read a letter from JOHN THOMPSON, the general manager of the adjacent establishment, objecting to the approval of the liquor license. COUNCILMAN BARLOW thanked him for voicing his concerns, but emphasized that he did not believe approving this application would have any adverse affect on the surrounding businesses. He added that he strongly endorses all activities that attract more visitors to the downtown area.

COUNCILMAN REESE asked COUNCILMAN BARLOW to consider imposing a six-month review. COUNCILMAN BARLOW concurred and explained the procedure to the applicant.

MARGO WHEELER, Director of Planning and Development, provided the verbiage for the added condition.

Regarding Item 67, CAROL MEYER, Finance and Business Services, stated that in addition to having met all the requirements for consideration of the temporary license, MR. GABAY will need to comply with an added condition requiring he meet the definition of a convenience store. MS. MEYER explained that the applicant was apprised of the 30-percent items that are required in his store in order to meet the definition. MR. GABAY concurred with the added condition and acknowledged that he understood the requirement.

MAYOR GOODMAN declared the Public Hearing closed.